

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Jason Carvell

v.

Civil No. 14-cv-5-PB

**Edward Reilly, Warden, Northern New
Hampshire Correctional Facility**

ORDER

On January 28, 2015, the United States Magistrate Judge Andrea K. Johnstone, filed with the court, with a copy to the plaintiff, her Report and Recommendation for dismissal of the petitioner's petition for writ of habeas corpus. The petitioner filed an objection to the Report and Recommendation on February 11, 2015. Having reviewed and considered the Report and Recommendation, together with the entire record, I concur with the recommendations of the United States Magistrate Judge for reasons set forth in her report, and determine that no further proceeding is necessary.

It is therefore ordered that the Report and Recommendation of the Magistrate Judge Andrea K. Johnstone is hereby adopted. The respondent's motion to dismiss (doc. no. 10) is granted. The petitioner's petition for writ of habeas corpus (doc. no. 1) as amended (doc. no 7) is dismissed. Additionally, finding that the petitioner has failed to make a substantial showing of the

denial of a constitutional right, the court declines to issue a certificate of appealability. See 28 U.S.C. § 2253(c)(2); Rule 11, Rules Governing Habeas Corpus Cases Under Section 2254; First Cir. LR 22.0.

SO ORDERED.

/s/ Paul Barbadoro
Paul Barbadoro
United States District Judge

Date: February 13, 2015

cc: Jason Carvell, pro se
Elizabeth Woodcock, Esq.